

STATEMENT OF PURPOSE

RS21868

2012 was one of Idaho's worst fire seasons in over a century. Approximately ninety-three percent of the acres burned were owned and managed by the federal government. In some states, large forest and range land owners such as the federal government have sued and have received unreasonable and speculative intangible environmental damages and double recovery.

This bill clarifies that if a forest or range fire was caused by an unintentional negligent act, the damages claimed by such forest and range owners are limited to reasonable cost for fire suppression, and actual and objectively ascertainable loss. The statute affirms the ability of timber owners to recover damages for the market value of lost timber among other tangible damages. Additionally, willful and intentional conduct to enter or injure another's property is required for treble damages, penalties and attorney fees as costs for a civil action for trespass.

FISCAL NOTE

No fiscal impact.

Contact:

Jeremy Chou
Givens Pursley
(208) 388-1200